

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

**IN RE:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO,**

as representative of

**THE COMMONWEALTH OF PUERTO
RICO, et al.,**

Debtor

PROMESA Title III

**No. 17 BK 3283-LTS
(Jointly Administered)**

**IN RE:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO,**

as representative of

**PUERTO RICO ELECTRIC POWER
AUTHORITY**

Debtor.

PROMESA Title III

**No. 17 BK 4780-LTS
(Jointly Administered)**

**COMITÉ DIÁLOGO AMBIENTAL, EL PUENTE DE WILLIAMSBURG, INC.-
ENLACE DE ACCIÓN CLIMÁTICA, COMITÉ YABUCOEÑO PRO-CALIDAD DE
VIDA, INC., ALIANZA COMUNITARIA AMBIENTALISTA DEL SURESTE, INC.,
SIERRA CLUB PUERTO RICO, INC., MAYAGÜEZANOS POR LA SALUD Y EL
AMBIENTE, INC., COALICIÓN DE ORGANIZACIONES ANTI INCINERACIÓN,
INC., AMIGOS DEL RÍO GUAYNABO, INC.'S RULE 26(A) OPENING EXPERT
DISCLOSURES**

TO THE HONORABLE COURT:

COMES NOW, Comité Diálogo Ambiental, Inc., El Puente de Williamsburg, Inc.-Enlace de Acción Climática, Comité Yabucoño Pro-Calidad de Vida, Inc., Alianza Comunitaria Ambientalista del Sureste, Inc., Sierra Club Puerto Rico, Inc., Mayagüezanos por la Salud y el

Ambiente, Inc., Coalición de Organizaciones Anti Incineración, Inc., and Amigos del Río Guaynabo, Inc., parties-in-interest in the captioned case, through its undersigned attorney and respectfully submit these Disclosures under Federal Rule of Civil Procedure 26(a), as made applicable to this action by Rule 7026 of the Federal Rules of Bankruptcy Procedure and Section 310 of PROMESA, as per the Title III Court's Amended and Restated Order Establishing, Among Other Things, Procedures and deadlines Concerning Objections to Confirmation and Discovery in Connection Therewith ("Procedural Order"), Case No. 17-04780-LTS, ECF 3305. Comité Diálogo Ambiental *et al.* does not waive any rights, privileges, or protections, including but not limited to objections on any grounds to the discovery or use of information disclosed herein, and Comité Diálogo Ambiental *et al.* expressly reserves all such rights.

1. On June 5, 2019, the above-mentioned parties-in-interest appeared to this Court (Docket Entry No. 1278, in 17-4780, and Docket Entry No. 7229 in 17-3283).

2. On March 3, 2023, the Honorable Court entered an *Amended and Restated Order Establishing, Among Other Things, Procedures and Deadlines Concerning Objections to Confirmation and Discovery in Connection Therewith* (Docket Entry No. 3305 in 17-4780). The Court stated April 14th, 2023, as the deadline to file opening expert disclosures.

- a) The undersigned announces as expert witness **Dr. Agustín Irizarry-Rivera**. (See Curriculum Vitae Attached)
- b) Address: PO Box 1016, Hormigueros Puerto Rico 00660.
- c) Telephone: (787) 448-2553
- d) Email: agustinirizarry@gmail.com

3. Dr. Irizarry will provide expert testimony explaining how the proposed Plan of Adjustment of the Debt ("PAD") for PREPA contradicts public policy that promotes the rapid

adoption of renewable energy and would prevent the compliance with Puerto Rico's commitment to energy independence, energy affordability and hurricane resilience. Dr. Irizarry will provide data showing that in Puerto Rico distributed renewables are growing while utility scale renewables are not. Dr. Irizarry will demonstrate that establishing a fixed charge within the proposed Legacy Charge will deter, or at a minimum penalize, net metering adoption of solar photovoltaic rooftop generation. He will also testify on how the PAD is based on flawed assumptions that overestimate energy sales. Dr. Irizarry will provide results showing why the adoption of distributed renewables increases residential and commercial electric supply resilience at a lower cost than the grid electricity prices resulting from the adoption of the proposed PAD. Thus, he will explain how the increased grid cost will accelerate grid defection, or partial grid defection, decreasing the projected energy demand and consequently the energy sales. Comité Diálogo Ambiental *et al.* reserves all rights to amend this information as a result of discovery and/or any subsequent amendment to the Plan of Adjustment or Disclosure Statement. Additionally, Comité Diálogo Ambiental *et al.* reserves the right to amend the scope of Dr. Irizarry's testimony to include expert rebuttal witness testimony.

4. **WHEREFORE**, it is respectfully requested from this Honorable Court to take notice of the above for all relevant purposes.

I HEREBY CERTIFY that, on this same date, I filed this document electronically with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all parties of record and CM/ECF participants in this case.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 14th day of April 2023.

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